

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAMAL F. WOODLEY, SR., : Case No. 2:24-cv-669
vs. Plaintiff, :
DAVID C. YOUNG, et al., : District Judge Michael H. Watson
Defendants. : Magistrate Judge Stephanie K. Bowman
: **REPORT AND
RECOMMENDATION**
:

Plaintiff has filed a pro se civil rights complaint in this Court pursuant to 42 U.S.C. § 1983. On June 11, 2024, the undersigned issued a Report and Recommendation to dismiss the complaint for failure to state a claim upon which relief may be granted, which remains pending. (Doc. 12). Specifically, the undersigned determined that defendants Judge Young and Prosecutor Cornely were immune from suit; defense attorneys Poole, McCord, Kurila, Thomas, and Benton Jr. were not state actors within the meaning of § 1983; and plaintiff alleged insufficient factual allegations against defendants Stobart, Grinstead, and Callif to state a claim upon which relief may be granted. (*See id.*).

This matter is now before the Court on plaintiff's motion seeking to stay this action. (Doc. 18). Plaintiff seeks a stay so that he may pursue relief in the state courts.

Plaintiff's motion should be denied. For the reasons provided in the June 11, 2024 Report and Recommendation, the complaint is subject to dismissal for failure to state a claim upon which relief may be granted. Plaintiff has not provided nor is the undersigned aware of any basis to conclude that a stay is warranted in this matter.

Accordingly, it is **RECOMMENDED** that plaintiff's motion to stay (Doc. 18) be **DENIED**.

NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to this Report & Recommendation (“R&R”) within **FOURTEEN (14) DAYS** after being served with a copy thereof. That period may be extended further by the Court on timely motion by either side for an extension of time. All objections shall specify the portion(s) of the R&R objected to, and shall be accompanied by a memorandum of law in support of the objections. A party shall respond to an opponent’s objections within **FOURTEEN DAYS** after being served with a copy of those objections. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

s/Stephanie K. Bowman
Stephanie K. Bowman
United States Magistrate Judge